

PATENT COOPERATION TREATY

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To:

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TBK - PATENT

PCT

WRITTEN OPINION
(PCT Rule 66)

Date of mailing
(day/month/year)

15.12.2003

Applicant's or agent's file reference

WO 28634

REPLY DUE

within 3 month(s)
from the above date of mailing

International application No.

PCT/EP0202518

International filing date (day/month/year)

07.03.2002

Priority date (day/month/year)

07.03.2002

International Patent Classification (IPC) or both national classification and IPC

H04B7/005

Applicant

NOKIA CORPORATION et al

1. This written opinion is the **first** drawn up by this International Preliminary Examining Authority.
2. This opinion contains indications relating to the following items:
 - I ☒ Basis of the opinion
 - II ☐ Priority
 - III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
 - IV ☐ Lack of unity of invention
 - V ☒ Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
 - VI ☐ Certain documents cited
 - VII ☐ Certain defects in the international application
 - VIII ☐ Certain observations on the international application
3. The applicant is hereby **invited to reply** to this opinion.

When? See the time limit indicated above. The applicant may, before the expiration of that time limit, request this Authority to grant an extension, see Rule 66.2(d).

How? By submitting a written reply, accompanied, where appropriate, by amendments, according to Rule 66.3. For the form and the language of the amendments, see Rules 66.8 and 66.9.

Also: For an additional opportunity to submit amendments, see Rule 66.4.
For the examiner's obligation to consider amendments and/or arguments, see Rule 66.4 bis.
For an informal communication with the examiner, see Rule 66.6.

If no reply is filed, the international preliminary examination report will be established on the basis of this opinion.
4. The final date by which the international preliminary examination report must be established according to Rule 69.2 is: 07.07.2004

15.3.04 ✓

W/15.1. ✓

Name and mailing address of the international preliminary examining authority:



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WRITTEN OPINIONInternational application No. **PCT/EP02/02518****I. Basis of the opinion**

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this opinion as "originally filed"*):

Description, Pages

1-33 as originally filed

Claims, Numbers

1-22 as originally filed

Drawings, Sheets

1/8-8/8 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
- ☐ the claims, Nos.:
- ☐ the drawings, sheets:

5. ☐ This opinion has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).

6. Additional observations, if necessary:

V. Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**1. Statement**

Novelty (N)	Claims	1,14
Inventive step (IS)	Claims	2-13, 15-22
Industrial applicability (IA)	Claims	

2. Citations and explanations**see separate sheet**

Re Item V

Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Reference is made to the following document:

D1: EP 461 314

2. The present application does not meet the requirements of Article 33(2) PCT because the subject-matter of **claim 1 and 14** is not new.

3. D1, discloses using the wording of **claim 1**, a power control device for calibrating the power of a transmitter or receiver in a mobile communication network comprising an antenna array, the device being adapted to transmit or receive burst signals to the antenna array which burst signals include a fixed training sequence (see e.g. abstract), comprising:

- a calibration means (20,22,24,26,28) for calibrating the transmission or receiving power of the transmitter or receiver;
- the calibrating means (20,22,24,26,28) including a summing means (28) connected to the antenna array (10) for summing transmission or reception signals; and
- a common calibrating device (26) for calibrating the summed signals.

3.a Hence, D1 discloses all features of **claim 1** which therefore lacks novelty according to Article 33(2) PCT.

Consequently also the corresponding method **claim 14** lacks novelty.

4. Dependent **claims 2-13 and 15-22** do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of inventive step, since they all seem to represent solutions within the knowledge of the person skilled in the art.